IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 11TH OCTOBER 2007 / 19TH ASWINA 1929

Con.Case(C).No. 881 of 2007(S)

AGAINST THE JUDGEMENT/ORDER IN OP.20018/2001

.....

PETITIONERS/PETITIONERS IN OP

---

1. LAKSHMIAMMA, AGED 70 YRS,
   W/O. LATE KUNJIRAMAN NAMBIAR, VARIAM VEETIL HOUSE, ELUMAKOLLI-I, MEDPADI P.O., WAYANAD.

2. RADHAKRISHNAN V.V., AGED 45 YEARS,
   S/O. KUNJIRAMAN NAMBIAR, VARIAM VEETIL HOUSE, ELUMAKOLLI-I, MEDPADI P.O., WAYANAD.

3. JAYARAJ V.V., AGED 42 YEARS,
   S/O. KUNJIRAMAN NAMBIAR, VARIAM VEETIL HOUSE, ELUMAKOLLI-I, MEDPADI P.O., WAYANAD.

4. SUNILKUMAR V.V., AGED 39 YEARS,
   S/O. KUNJIRAMAN NAMBIAR, VARIAM VEETIL HOUSE, ELUMAKOLLI-I, MEDPADI P.O., WAYANAD.

5. SUJATHA, AGED 32 YEARS,
   S/O. KUNJIRAMAN NAMBIAR, VARIAM VEETIL HOUSE, ELUMAKOLLI-I, MEDPADI P.O., WAYANAD.

BY ADV. SMT.T.B.MINI

RESPONDENTS: 1ST RESPONDENT IN OP

GOPI, S/O. AND AGE NOT KNOWN TO THE PETITIONER, DISTRICT COLLECTOR, KALPETTA, WAYANAD.

BY GOVERNMENT PLEADER SRI. A.J. VARGHESE.

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR ADMISSION ON 11/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

C.O.C.No. 881 OF 2007

Dated this the 11th day of October, 2007

JUDGMENT

The petitioners approached this Court complaining of non-compliance with the directions of this Court in Annexure-A1 judgment. The matter relates to payment of gratuity as directed by the controlling authority under the Payment of Gratuity Act. The complaint is that the respondent did not take appropriate steps to recover the amount from the employer and pay it to the petitioner despite directions in Annexure-A1 judgment.

2. An affidavit has been filed by the respondent wherein he has detailed the steps taken for realisation of the amount due to the petitioner. In fact it is admitted that the principal amount of Rs.34,115/- was recovered and paid to the petitioner. What now remains is the interest portion and in respect of the same also the respondent is taking earnest efforts to recover it from the employer and for that purpose a hearing is posted on 6.9.07 for settlement.

In the above circumstances, I am not satisfied that there was any deliberate attempt on the part of the respondent to violate the directions in the Annexure-A1 judgment. Therefore, I do not think that further proceedings are necessary in this contempt case and accordingly the same is dismissed.

S. SIRI JAGAN, JUDGE

Acd